WEST SIDE PLAN IS DEFENDED BY PLACE

He Says Relocation of Tracks Would Have Averted Freight Congestion.

SUGGESTS BIG TERMINAL

Committee Promises Hylan an . Opportunity to Present His Views.

Crates, poorly informed, who insist on compulsion in preference to the amicable agreement -or "bargain" referred to by Comptroller Prendergast-are held responsible by Ira A. Place, vice-president of the New York Central, for the failure für of the railroad to relocate its tracks on the West Side of Manhattan

these critics had thought more of the Central's rights and less of destroying those rights the railroad, in the opinion of Mr. Place, would have relocated its tracks under the plan of 1911 and would now be ready for war service, so that both city and railroad would be in-

Mr. Place, who in addition to being At present it is characted in the States of Ohio, Pennsylvania. Michigan and New York."

In answer to a question as to whether opinion regarding critics in search and opinion regarding critics in general and the New York Central owned as much rights in particular while testifying yesterday afternoon in the library of the having used the words "practically all" the chartest, at the third session of Gov. Whiteman's West Side committee. He will it, He could only recoilect one instance continue his testimony when the session in when possession had been disputed.

1916. He even went further than that in assuring the committee that the road is as eager as the city to settle the West ide problem and has always been eager to meet the city on any reasonable basis

Street Rights Inalienable.

One thing he emphasized, however, fiving point to Comptroller Prendergast's previous expression of belief that only

Admits Police Rights of State.

exercise its police powers, as has been ministration, said that the commission so frequently advocated by critics of the "bargain plan" system. Mr. Place made sions after the first of January and will ission and asserted a claim that

an admission and asserted a claim that seemed to igterest members of the committee, particularly Prof. Charles A. Beard. Mr. Place said:
"The right of the State has never been questioned. The State of New York has a right to eliminate grade crossings, of course, and is doing it every day. But the fact that the State says WHETHER TO REBUILD must go over or under a highway State doesn't affect our right to be there. It is a right subject to limita-

tions.
"The State," he summed up in answer to a series of questions interjected at this point, "has no right to terminate our right to be there, but merely to connection that there was no limit on stroyed by fire Tuesday morning, ac-the original franchise, as contended by cording to a telegram received by the many, but that the fifty year provision Plain Dealer from Mr. Rockefeller yesthe original franchise, as contended by cording many, but that the fifty year provision Plain I referred to the railroad's charter, not to terday. the "consent and assent" of the city.

Mr. Place holds that the assent of the of the charter was extended in the joint conference committee are those of 1847 and 1849 and that the perpetual right of the railroad, subject to State restriction, was established with reference to these two ordinances by the Court of Appeals.

"How do you account," Prof. Beard
asked, "for the expression that the
new corporation shall be responsible for all restrictions imposed on the old?"

Mr. Place retorted that the word "restrictions" was undoubtedly used in the sense of obligations imposed upon the sense of obligations imposed upon would be examined in his office to-morning. pointed out that there was no River-side Park and practically no streets above Forty-eighth street when the

Central went through. "Even the project of running a rail-road along that great waterway [the

ment of the Central earlier in the session, he had told the committee how the right of way from Spuyten Duyvii to Forty-eighth street had been pur-

Received 81 From City.

The statement that the Central had in some instances, was the subject considerable questioning by members the committee, one of whom wanted know if the city had not refunded e purchase price for parcels when reet openings were eventually made. "The city paid the New York Cer-tral \$1." Mr. Flace replied.

A member of the committee asked

A report of fighting between Federal

of the committee asked was right in "believing

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until little remains. How can we save what is left? For years now Brooklyn real estate has furnished the small mortgages for the investments of men of moderate means.

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Seized Here.

LONDON AIR RAID

Two of Attacking Planes Reported Brought Down.

London, Dec. 19 .- Ten persons were

From sixteen to twenty enemy planes

took part in the raid. Three groups crossed the Kentish coast and three more groups crossed the coast of Essex, all making toward London, early in the eventual coast.

ning. Five machines succeeded in reach ig and bombing London between 7 and o'clock. Later a single aircraft made

One raider was shot down off the kentish coast and two of its crew were captured. It is believed that another was sunk in the Channel.

The Admiralty to-day announced that British aircraft successfully bombed the Engel airdrome behind the German lines

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ACCOUNTANCY

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s way over London about 9.

in Flanders.

killed and seventy injured in London and five were injured outside the city in

damage from these was not serious. naval or military establishments suf-

man's West Side committee. He will the could only recoilect one instance in which possession had been disputed in which possession had been disputed and that to a single parcel, he said.

With the aid of half a dozen maps Mr. Place reviewed the history and physical development of the Central from the time it was chartered in 1846 up to the abandonment of the West Side plan of 1911 would have been accepted by the Central and should have been pushed to a conclusion by the city. He abandonment of the West Side plan of 1911 would have been accepted by the Central and should have been deputed. plan of 1911 would have been accepted by the circ. He central and should have been pushed to a conclusion by the circ. He read letters exchanged by himself and the late Mayor Gaynor in which each agreed to the plan. In fact Mayor Gaynor in which each on him to see that the Central did its been close to 1.000. The Federal and on him to see that the Central did its been done country, city and railing this been done country, city and railing of war, according to Mr. Place.

Would Develop West Side.

Control and that 3.500,000 tons of this reaches the West Side of Manhattan via the East Shore division. He holds that the East Shore division. He holds that

on a basis of "bargaining" with the railroad can interminable delays be avoided in bringing about a development which the city sorely needs. This was the opinion that the railroad has an inalienable

sent and assent of the city, which we feel, control passed out of the hands of the city."

Mr. Place held that the question whether the city, having assented to the condition imposed by the Legislature, has power now to recall its assent was answered in the negative by the Court of Appeals when a Borough President of Appeals when a Borough President of Manhattan, on advice of a Corporation Counsel, proposed to tear up the Central's tracks.

"I asked the Corporation Counsel then in this content of adouble deck freight terminal, with warehouses rising elight, ten or more stories above.

"The Grand Central has taught us." he continued, "that one may divide perpendicularly as well as horizontally."

In other words the New York Central to the continued after the enactment of the continued of the continued above.

"I asked the Corporation Counsel then in this content and double deck freight terminal, with warehouses rising elight, ten or more stories above.

"Take Grand Central has taught us." he continued, "that one may divide perpendicularly as well as horizontally."

In other words the New York Central to the continued of the continued, "that one may divide perpendicularly as well as horizontally."

In other words the New York Central to the continued after the enactment of the continued of the continued above.

"Take Grand Central has taught us." he continued to support herself. As the pair were married after the enactment of the continued of the continued is prepared to do by building upward what it cannot do by spreading out. Mr. Place says the railroad is prepared to do this, and incidentally to make possible in Washington, D. C. and came to live with his wife in Hariem. The fraud was discovered two months later. Central's tracks.

"I asked the Corporation Counsel then why he didn't oust us if he doubted our right to be there. 'You want to place the burden of litigation on me,' I told him."

I asked the Corporation Counsel then why he didn't oust us if he doubted our right to be there. 'You want to place the burden of litigation on me,' I told him."

I asked the Corporation Counsel then ping the district directly and by building spurs as soon as the city will conclude a workable agreement. He holds that such development would result in a big decrease in the cost of trucking and him."

I asked the Corporation Counsel then ping the district directly and by building spurs as soon as the city will conclude a workable agreement. He holds that such development would result in a big decrease in the cost of trucking and him." handling freight, that more freight could and would be brought into Manhattan and that both callroad and city would be immensely benefited thereby

Mr. Place cheerfully admitted that he had assumed the burden and had borne it well. He denied, however, that the decision of the Court of Appeals had influenced the attitude of the Central, insisting that the railroad is willing now and was willing then to meet the necessity of changing and improving its necessity of changing and improving its the Governor be withheld until the new Cornoration Counsel has an opportunity West Side system below Spuyten Duyvil.

Regarding the right of the State to exercise its police powers, as has been ministration, said that the commission

Rockefeller Sends Message to Cleveland Friends.

Special Despatch to THE SUS CLEVELAND, Dec. 19.—John D. Rocke-feller is undecided whether he will re-build Forest Hill, bis once palatial Cleveland summer home, which was de-

An expression of appreciation for kindly sentiments sent from by friends in Cleveland was set forth in the fol-lowing telegram from Mr. Rockefeller: I am very appreciative of your kind message in connection with the loss of my Forest Hill house. The sympathy of my Cleveland friends is very much

The old house was highly prized in connection with many happy memo-ries and delightful associations of the

quaint structure can hardly be reproduced, and I have not yet had time to consider whether or not to re-JOHN D. ROCKEPELLER

VILLA CHANGES HIS NAME TO GONZALEZ

Hudson) was regarded at that time as He Is Conducting Campaign Under New Alias.

chased by the Central from private own- Gonzalez, according to escaped Federal ers long before streets were legally prisoners who have reached Chihushua city and made reports to the commander HOURS: there. With Martin Lopez, Villa has purchased its right of way to Forty. Chinuanun under the name of Gonzalez eighth street, and water rights with and looted several small towns, held up a railroad train and killed a number of

> Villa's other name, which is used when he is referred to in any official com-munication of the Mexican Government,

Mr. Place if he was right in "belleving troops and Villa soldiers near Parcel that the Central owns no property outside New York State," to which Mr. Place promptly replied: "Oh. no you seem to the first own and was said to be going in the Oh, no, you are not right. It owns direction of the Durango mountains.

Thirty Additional Subpoenas Issued by Kilroe-Two Indictments Asked.

RELIEF-AND CHARITY

INQUIRY BROADENED

COL. FOSTER'S NAME USED

Miss Oswald Denies Receiving With Your Christmas Dinner Money-Italian Bazaar Under Fire.

Subponas for more than thirty war relief and charity workers were issued vesterday by Edwin P. Kilroe, Assistant District Attorney, investigating alleged graft and misdealings among the sixty stati and misdealings among the sixty odd societies in New York. At the same time it was admitted that indictments had been asked for in the case of two more of the "Hundred Per Cent. Boys." The investigation developed yesterday that the name of Col. R. L. Foster of the Tweifth Regiment, had been used by members of this organization in much the same manner as the name of Col. manner as the name of Col Louis D. Conley was used, in which case two men now are under indictment. According to the District Attorney's information.

According to the District Attorney's information a man purporting to-be Col. Foster telephoned to O. G. Orr a short time ago and asked for a donation in behalf of the regiment. Many of the soldiers, said the man on the wire, were reau went to Bay Shore, L. 1. Tuesday newspaper men and indigent and needed more help than the Government was able to give. Mr. Our told the District Attor-toey that he gave a favorable response and that shortly after this a man it uniform called upon him and received his check for \$100. When the check returned to Mr. Our it bore an alleged signature of Col. Foster and a second endorsement of Charles Sanders.

Check Traced.

Sen that the railroad has an inalienable right in city streets now used by it and that not even the Legislature can terminate those rights, though it may restrict and modify them.

"That right came from the State." he said, thereby taking issue with the joint conference committee, which recently recommended that the Board of Estimates revoke the ordinance of 1866 with a view to rescinding the right on the ground that the city, having siven the content of the first and sasent of the city, which we did on condition that we got the content and sasent of the city, which we did on condition that we got the content and sasent of the city, which we did no nondition that we got ut of the hands of the city.

"The State." Mr. Place continued, "store and sasent of the city, which we got the content and sasent of the city, which we did no nondition that we got ut of the hands of the city.

"The State." Mr. Place sontinued, "store and sasent of the city, which we got the content and sasent of the city, which we did not not first the said as soon as the railroad is in a pear of the city, which we did not not first the content and sasent of the city, which we said as soon as the railroad is in a pear and sasent of the city, which we did not not first the content and sasent of the city, which we did not not first the content and sasent of the city, which we did not not first the said as soon as the railroad is in a pear of the city. Which we said as soon as the railroad is in a pear of the city, which we said as soon as the railroad is in a pear of the city. Which we said as soon as the railroad is in a pear of the city. Which we did not not first the content of the city which we did not not first the content of the city. Which we did not not first the content of the city which we did not not first the content of the city."

The State." Mr. Place held that the question whether the city having assented to the case of the said and said the sast the said and said the said to the safety that the said and said the said to the safet

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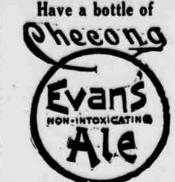
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into the Italian Bazaar, held at the Grand Central Palace in November, 1916. Francis L. Corrao, former Assistant District Attorney of Kings county, declared yesterday that of the \$50,000 or more which the Bazaar took in only \$13,000 went to the ostensible beneficiaries, the Italian families left destitute here by the call of their men to war. He also main-tained that officers of an allen organization dominated the bazaar and profited

U. S. AGENTS SEIZE WIRELESS PLANT

Alleged Owner of Bay Shore

Agents of the Naval Intelligence Bureau went to Bay Shore, L. 1., Tuesday

less. This information he was transmitting to German agents here, the navy

onnection with it.

An investigation was started yesterday sent him to the island.

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SUMMONSES.

Dated, December 14, 1917

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Corporation Counsel
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PROPOSALS.

SUPPREME COURT, NEW YORK COUNTY

—ANNIE L. KNEER, Plaintiff, against
MAX GOLDWASSER JENNIE GOLDWASSER, BARNET SCHMITH, FANNIE
SCHMITH, ALFRED HAHN, LENA ADLER, WOLF KREISBERG, JEWISH
PRESS PUBLISHING COMPANY, a domeanle corporation, ODERWARD
RESS SCHWARTZ, THE CITY OF NEW YORK,
ABRAHAM C. WINTER, "ALFRED" RONOFSKY, the first name "Alfred" being
fictitious, the real first name of said defendant being unknown to the plaintiff,
"HARRY" SCHMITH, the first name
"Harry" being fictitious, the real first name of said defendant being unknown to the plaintiff,
JOHN MOLEWHA MAX LELITITZSKY, IKE STINEBURG, JOHN'
FORMAN, the first name of said defendant being unknown to the plaintiff,
JOHN SCHWIL, "MORRIS"
GRONECK the first name of said defendant being unknown to the plaintiff,
GUISEPPE T. SEMINORA, LACOB
ROUNG, FRANK FANSI, all of the above,
named defendants ABRAHAM G. WINFORMAN JOHN SOCKEL, "MORRIS"
GRONECK, the first name of said defendant being unknown to the plaintiff,
GUISEPPE T. SEMINORA, JACOB
ROUNG, FRANK FANSI, all of the above,
named defendants ABRAHAM G. WINFORMAN JOHN FISHER, FRANKLYN
FORMAN JOHN FISHER FRANKLYN
FORMAN JOHN FISHER, FRANKLYN
FORMAN JOHN FISHER, FR

ANN. and JUSEPH MANDED DEFENDANTS of the analysis of them.

OTHE ABOVE NAMED DEFENDANTS and each of them:
YOU ARE HEREBY SUMMONED to inswer the complaint in this action and a serve a copy of your answer on the lighting. Attorneys within twenty days feer the service of this summons exitation of the day of service, and in case the cour failure to appear or answer, ludging them will be taken against you by default of the relief domained in the complaint. Dated New York August 25th, 321.

MIEHLING & KAYSER Attorneys for Plaintiff, Omee & P. O. Address, 255.

Stroadway, Borough of Manhatten, New York City.

To THE ABOVE NAMED. FANNIE

SCHMITTI.

To foregoing summons is served upon you by publication, pursuant to an erfer of him JOHN W GOFF a Justice of the Supretue Court of the State of New York, dated the 25th day of September, 1317, and filed with the complaint in the office of the Clerk of the County of New York. MIEHLING, & KAYSER Attorneys for the Clerk of the County of New York. MIEHLING, & KAYSER Attorneys for Plaintiff, Office & P. O. Address, 255.

Broadway, Manhattan, New York City

LEGAL NOTICES.

NEW YORK SUPREME COURT, FIRST

JUDICIAL DISTRICT

In the Matter of the Application of the District of the State of New York, acting for and on behalf of the city of New York, acting by the Corporation Counsel of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, for the appointment of the City of New York, acting th

o 10 By order Win S. 1000 S. Goodstein & ser 75 He 12 Give levelty, brice a let

of New York Law and vate Schools appears c = 44 " Morning Edition of THE NEW TELS

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Dated. December 14, 1917.

LAMAR HARDY.

Lamar Berough of Manhat
Total Corporation Counsel.

Fig. 10,000,000 sales with the content of the confirmed.

Dated. December 14, 1917.

Jacobs Showery G Education of Manhat
Lamar Hardy And Corporation Counsel.

Fig. 10,000,000 sales with the content of Manhat
Lamar Hardy And Corporation Counsel.

The provided prior to the content of the County of t 164 Nassau St., opp. New York City Hall. Secretarial and Business Training. Ask for Catalog. Learn how to succeed. POSITION GUARANTEED TO YOU. HOURS: Days. 9:30 A. M. to 3 P. M. Nights, any time after 5 P. M. been conducting a guerrilla campaign in Chihunhun under the name of Gonzalez and looted severa; small towns, held up a railroad train and killed a number of small expense. SHORTHAND Review as small expense. Cook's Tours, 245 Broadway, 561 5th Ave Raymond & Whitcomb, 225 5th Ave., Pen R. R., 5th Ave. & 29th St. Ask Mr. Foste at 220 W. 42nd St., or at Lord & Taylor' and Bertha Ruffner's Information Bureau McAlpin Helte! WERNERSVILLE .- Pa. Mrs. I. Franklin Wardell WALTON SCHOOL OF COMMERCE GALEN HALL-IN-THE-MOUNTAINS 708 Singer Building, N. Y. Accounting - Audi tog -- Business Law Stamford, Cong. WITH ADDITIONS, Consisting of